IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

Bail Appl..No. 3849 of 2007(A)

(CRIME NO. 187/2007 of PEERUMADE POLICE STATION)

PETITIONERS/ACCUSED NO.2,3,5,7 & 8

1. RATHEESH, AGED 18 YEARS,
   S/O CHARLES, LAYAM II DIVISION,
   KOZHIKANAM, ELAPPARA VILLAGE.

2. ANEESH, AGED 21 YEARS,
   S/O CHARLES, LAYAM II DIVISION,
   KOZHIKANAM, ELAPPARA VILLAGE.

3. SAJI, AGED 22 YEARS,
   SHAJI BHAVAN, II DIVISION,
   PUTHAVALLY, KOZHIKANAM, ELAPPARA VILLAGE.

4. ROY, AGED 27 YEARS,
   S/O MANI, LAYAM I DIVISION,
   KOZHIKANAM, ELAPPARA VILLAGE.

5. SHYLAS, AGED 34 YEARS,
   S/O ABRAHAM, LAYAM I DIVISION,
   KOZHIKANAM, ELAPPARA VILLAGE.

BY ADV. SRI.GEORGE SEBASTIAN

RESPONDENTS: COMPLAINANT

STATION HOUSE OFFICER,
PEERUMADE POLICE STATION, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY ADV. SRI. JAI GEORGE, PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No. 3849 Of 2007

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Dated this the 27th day of June, 2007

ORDER

Application for regular bail. Petitioners face allegations, inter alia, under Sections 332 and 308 IPC and Section 3(1) of the P.D.P.P.Act. The alleged incident took place on 03.06.07. A police party which had gone to scene on coming to know of a factional fight was allegedly attacked by a group of persons including the petitioners who constituted an unlawful assembly. The petitioners were arrested on 3.6.07 and continue to remain in custody from that date.

2. The learned counsel for the petitioners prays that the petitioners may now be released. The learned Public Prosecutor does not seriously oppose the said prayer, but submits that appropriate conditions may be imposed. The Investigating Officer may be granted reasonable further time to complete his investigation, it is further submitted.

3. Having considered all the relevant inputs, I am satisfied that the petitioners can be permitted to be released on bail subject to appropriate conditions.

4. In the result the bail application is allowed . The petitioners shall be released on bail on the following terms and conditions:-

i) The petitioners shall not be released on the strength of this order prior to 03.07.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioners shall execute bonds for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioners shall make themselves available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for the period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

sj